

Bridgeport, Nebraska  
Tuesday, March 23, 2021

The Morrill County Board of Commissioners met in an open and public regular meeting at 7:30 A.M., Tuesday, March 23, 2021 in the Commissioners' room at the Courthouse. Chairperson Metz announced that the Open Meetings Law was posted on the wall. The meeting opened with the Pledge of Allegiance. Notice of such meeting having been published in the Bayard Transcript on March 17, 2021. Copies of the Agenda, kept continuously current, were available from the County Clerk's office and were e-mailed to each of the Commissioners March 18, 2021. On roll call Commissioners Jeff Metz, Chairman, Susanna Batterman and Josh Schmidt were present. Absent: None. Some of the Elected and appointed Officials were also present. Kathleen L. Brandt, County Clerk, recorded the proceedings of the meeting.

Motion was made by Batterman, seconded by Schmidt, to approve the Agenda, with the deletion of Transfer of Funds, and the minutes of the March 9, 2021 meeting. Yeas: Batterman, Schmidt and Metz. Nays: None. Motion carried.

Correspondence was received and read.

The Commissioners reviewed the following claims:

#### GENERAL FUND

American Family Life Insurance, Insurance, \$1,172.61; Ameritas Life Insurance Corp, Retirement, \$7,111.33; Black Hills Chemical & Janitorial, Supplies, \$42.97; Bridgeport News-Blade, Publishing & Supplies, \$83.09; Cenex Fleetcard, Fuel, \$1,051.93; Century Business Products, Equip, \$52.64; Century Link, Service, \$80.76; Charter Communications, Service, \$313.94; City of Bridgeport, Service, \$2,055.95; Colonial Life Insurance, Insurance, \$284.10; Pamela S. Cook, RPR, Court Costs, \$52.50; Mandy M. Dalimata, Phone, \$25.00; Eakes Office Solutions, Supplies, \$18.48; Nancy Eichthaler, Phone, \$40.00; Audrey M. Elliott, Public Defender, \$4,166.66; Galls LLC, Uniforms, \$177.87; Ideal/Bluffs Facility Solutions, Service, Supplies & Laundry, \$492.12; Jack's Uniforms & Equip, Uniforms, \$182.89; John Deere Financial, Repairs, \$76.86; Susan Kelly, Misc, \$11.80; Andrew S Leisy d/b/a Leisy K-Lawn, Snow Removal, \$950.00; Lussetto Machine Inc, Repairs, \$320.70; Marshall & Swift/BOECKH LLC, Subscription, \$371.95; Medical Air Services Assoc, Service, \$8,640.00; Midwest Special Services Inc, Transport, \$546.00; MIPS Inc, Data Processing Costs, \$2,620.73; Morrill County Health Plan, Emp Share, \$2,486.27; Morrill County Health Plan, Insurance, \$36,929.83; Morrill County Highway Dept, Garbage & Phone, \$75.00; NACO, Registrations, \$200.00; NACT, Registration, \$100.00; Nossaman, Pettitt Law Firm PC, Court Appointed Counsel, \$639.76; Sarah Paisley, Mileage, \$223.44; Panhandle Coop, Repairs, \$64.69; Platte Valley Bank, HSA Accts, \$1,617.50; Platte Valley Bank, Federal Withholding, Social Security & Medicare, \$13,206.96; Principal Life Insurance Co, Group Life, \$2,732.04; Regional Care Inc, Health Insurance, \$28,284.40; Jared Reynolds, Contract Labor, \$500.00; Katlyn Rosas, Supplies, \$43.35; Scotts Bluff County Court, Law Enforcement Costs, \$20.25; Staples Credit Plan, Supplies & Equip, \$861.23; State of NE-Dept of Admin Serv, Data Processing Costs, \$69.88; Univ of NE-Lincoln, Registration, \$250.00; U S Bank, Data Processing Costs & Equip, Supplies, Registration, Dues, Phone & Misc, \$1,124.73; Watchguard Video, Law Enforcement Supplies, \$223.65; Xerox Financial Service, Equip Rental, \$302.43; XESI Document Solutions, Equip Rental, \$85.34; General Employees, Salaries, \$60,173.68.

#### ROAD/BRIDGE FUND

American Family Life Insurance, Insurance, \$422.08; Ameritas Life Insurance Corp, Retirement, \$3,370.03; Bayard Automotive LLC, Repairs & Supplies, \$187.89; Dana Cadwallader, Phone \$40.00; Century Link, Service, \$93.13; Charter Communications, Service, \$99.98; Colonial Life Insurance, Insurance, \$76.14; Dale's Tire & Retreading Inc, Tires, \$85.00; Ron Franklin, Phone, \$40.00; Heigel's Field Service, Repairs, \$380.00; Bryan Hoerler, Phone, \$40.00; Ideal/Bluffs Facility Solutions, Supplies, \$103.44; Koke's Auto Farm Truck, Repairs, Tools & Supplies, \$2,144.90; Morrill County Health Plan, Emp Share, \$1,356.14; Morrill County Health Plan, Health Insurance, \$19,922.68; NE Assoc of Co Hwy Supt, Eng & Surv, Registration, \$110.00; NE Child Support, Child Support, \$252.93; \$222.00; NE Public Power Dist, Service, \$72.01; Panhandle Coop, Tires, \$676.00; Platte Valley Bank, HSA Accts, \$547.50; Platte Valley Bank, Federal Withholding, Social Security & Medicare, \$6,146.74; Powerplan,

Repairs, \$790.80; Regional Care Inc, Health Insurance, \$13,973.28; David Zwirn, Phone, \$40.00; Road Employees, Salaries, \$29,955.72.

HEALTH INSURANCE FUND

Morrill County Health Plan, Health Claims, \$103,708.84.

PRESERVATION & MODERNIZATION FUND

Staples Credit Plan, Supplies, \$156.73.

HANDYMAN FUND

Morrill County Highway Dept, Phone, \$25.00.

W911 EMERGENCY FUND

Century Link, Service, \$185.14; Century Link Business Services, Service, \$70.78; Frontier, Misc, \$8.89.

911 EMERGENCY FUND

Century Link, Service, \$447.51; Century Link Business Services, Misc, \$473.66; Frontier, Misc, \$59.49.

COURTHOUSE BUILDING FUND

Lane Seifert d/b/a ABC Blinds & Shade, Blinds, \$920.00.

Motion was made by Batterman, seconded by Schmidt, that the above claims, after having been examined by the Commissioners, be approved, and checks drawn on the various funds, delinquent personal property taxes deducted where owing. Yeas: Batterman, Schmidt and Metz. Nays: None. Motion carried.

**Board of Equalization**

See separate minutes for Board of Equalization.

The following 2021 monthly reports were received, reviewed and placed on file: February - I Cardenas, Co Sheriff, K Brandt, Co Clk, L McCoy, Co Treas and S Kelly, Clk of Dist Ct.

The February minutes of the Morrill/Scotts Bluff County Extension meeting were received, reviewed and placed on file.

The March minutes of the Safety Committee were received, reviewed and placed on file.

Robin Stuart, Hospital Administrator, said the February Financials were not ready until the Hospital Board meets tonight. Stuart had talked with Brad Slaughter, with Ameritas about a loan for the addition to the hospital, because the rates are low. She asked for permission to see about this. The Hospital Board was agreeable to this and the County Board said they would agree to it also.

Andrew Leisy was unable to attend the meeting. His contract for spraying the lawn was the same as it has been. Motion was made by Batterman, seconded by Schmidt, to approve the contract for the year at \$1,998.28. Yeas: Batterman, Schmidt and Metz. Nays: None. Motion carried.

Chairperson Metz opened the Public Hearing for the Morrill County Public Transit for Federal & State Funding Project RPT C621 at 8:30 A.M. Nancy Eichthaler, Handyman & Public Transit Director, presented the documentation for applying for funding. She said it is for two years now from July 2021 – 2023. She said this year with the COVID, we are getting total reimbursement for the Federal Funds. There being no public comment, Chairperson Metz closed the Public Hearing at 8:38 A.M. Motion was made by Batterman, seconded by Schmidt, to approve the application and adopt the following resolution:

RESOLUTION #2021-08

WHEREAS, there are Federal Funds available under Section 5311 of the Federal Transit Act and for the Nebraska Public Transportation Assistance Program, and

WHEREAS, the Morrill County Public Transit desires to apply for said funds to provide public transportation in Morrill County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED, the Morrill County Board of Commissioners hereby instructs the Director of Morrill County Public Transit to apply for said funds. Said funds are to be used for the Morrill County Public Transit transportation operations in the FY's: 2021-2023 Application for Public Transportation Assistance.

/s/Jeff Metz  
Chairman – Morrill County Board

(S E A L)

ATTEST:

/s/Kathleen L. Brandt  
Morrill County Clerk

Yeas: Batterman, Schmidt and Metz. Nays: None. Motion carried. Discussion was held about the older van and if they could give to the Vets. Eichthaler said if the value is over \$5,000 they cannot.

Bryan Hoerler, County Highway Superintendent, reported on roads. At 8:45 A.M., the bids for a motor grader were opened. Joe Blanke and Travis Fix were present, representing Murphy Tractor and Larry Burbach and Bob Sorac were present, representing NMC. There were 5 bids from Murphy: 2015 JD 670G-\$142,500; 22016 JD 672G-\$178,250; 2016 JD 672G-\$162,750; 2015 JD 77G-\$159,500; and 2012 CAT-142M2-\$135,300. There were 6 bids from NMC: New 140-15-\$259,400; 2020 140-GC-\$185,700; 2014 12M2-\$152,000; 2011 140M-\$130,000; 2016 12M3-\$162,000; 2016- 12M3-\$210,000. Discussion was held about the location of each grader and what they were used for and the hours and warranties of each. Hoerler examined each of the bids and said he likes the 2020 140-GC, which also has a Rear Ripper. The board asked about the 6-wheel drive John Deere's. Motion was made by Schmidt, seconded by Batterman, to purchase the 2020 140-GC for \$185,700. Yeas: Schmidt, Batterman and Metz. Nays: None. Motion carried.

Virginia Post met with the Board about subdividing two properties. Motion was made by Batterman, seconded by Schmidt, to approve the subdivisions and to adopt the following resolutions:

RESOLUTION #2021-09  
RESOLUTION APPROVING INSTRUMENT EFFECTING SUBDIVISION TO REAL ESTATE.

BE IT REOLVED, that the present record owners Post Collective, LLC, have applied for approval of an instrument effecting the subdivision of the below-described premises located in Morrill County, Nebraska.

NOW, THEREFORE, PURSUANT TO Sec. 23-372 R.R.S, et seq., the Board of County Commissioners of Morrill County, Nebraska, does hereby authorize and permit the subdivision of the following described real estate in Morrill County, Nebraska:

A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 20 NORTH, RANGE 49 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, MORRILL COUTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 30: THENCE, ALONG THE LINE OF SAID SOUTHEAST QUARTER, N 87° 49' 04" W FOR A DISTANCE OF 558.58 FEET; THENCE, S 01° 47' 34" W FOR A DISTANCE OF 357.81 FEET; THENCE, S 85° 19' 13" E TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID SECTION, BEING A DISTANCE OF 558.94 FEET; THENCE, N 01° 50' 35" E, ALONG THE SAID EAST LINE, FOR A DISTANCE OF 382.17 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 4.74 ACRES, MORE OR LESS, OF WHICH 0.69 ACRES ARE CONTAINED IN COUNTY ROAD RIGHT-OF-WAY.

NOTE: Any driveway, grading or culvert to be at owner expense.

NOTE: The Morrill County Zoning Administrator has reviewed the zoning and land use and has determined its compliance with Morrill County Zoning Regulations.

NOTE: Publication of this document for the newspapers and filing fees to be at owner expense.

Passed and approved this 23<sup>rd</sup> day of March, 2021.

/s/Jeff Metz  
Chairperson, County Board

/s/Susanna Batterman  
Member, County Board

(S E A L)

/s/Josh Schmidt  
Member, County Board

ATTEST:

/s/Kathleen L. Brandt  
County Clerk

RESOLUTION #2021-10  
RESOLUTION APPROVING INSTRUMENT EFFECTING SUBDIVISION TO REAL  
ESTATE.

BE IT REOLVED, that the present record owner, Virginia Post, has applied for approval of an instrument effecting the subdivision of the below-described premises located in Morrill County, Nebraska.

NOW, THEREFORE, PURSUANT TO Sec. 23-372 R.R.S, et seq., the Board of County Commissioners of Morrill County, Nebraska, does hereby authorize and permit the subdivision of the following described real estate in Morrill County, Nebraska:

A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 49 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, MORRILL COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING A THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE, ALONG THE WEST LINE OF SAID QUARTER SECTION, S 01° 43' 34" W FOR A DISTANCE OF 294.00 FEET; THENCE, N 88° 59' 22" E FOR A DISTANCE OF 493.38 FEET; THENCE, N 18° 44' 08" E TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID SECTION, BEING A DISTANCE OF 321.12 FEET; THENCE, ALONG THE SAID NORTH LINE, S 88° 09' 13" W FOR A DISTANCE OF 587.90 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 3.69 ACRES, MORE OR LESS, OF WHICH 0.44 ACRES ARE CONTAINED IN COUNTY ROAD RIGHT-OF-WAY.

NOTE: Any driveway, grading or culvert to be at owner expense.

NOTE: The Morrill County Zoning Administrator has reviewed the zoning and land use and has determined its compliance with Morrill County Zoning Regulations.

NOTE: Publication of this document for the newspapers and filing fees to be at owner expense.

Passed and approved this 23<sup>rd</sup> day of March, 2021.

/s/Jeff Metz  
Chairperson, County Board

/s/Susanna Batterman  
Member, County Board

(S E A L)

/s/Josh Schmidt  
Member, County Board

ATTEST:

/s/Kathleen L. Brandt  
County Clerk

Yeas: Batterman, Schmidt and Metz. Nays: None. Motion carried.

Jeff Metz, County Board Chairman, said he had attended a meeting in Valentine regarding the Executive Order signed by President Joseph R. Biden, Jr., on January 27, 2021. It is to conserve at least 30% of the lands and waters in the United States. Under this “30 x 30” Program it would set aside and permanently preserve approximately 680 million acres in the nation in its natural state, preventing the productive use of these lands and their resources. Metz said Morrill County has approximately 915,200 acres of land and the Federal Government owns less than 1%. Metz said they were encouraged to adopt a resolution for the counties, protecting our land from being taken out of production. He said if people wanted to put their land into conservation use, wetlands, CRP, etc., it was up to them, but to keep the government from taking it away. Motion was made by Schmidt, seconded by Batterman, to adopt the following resolution:

RESOLUTION NO. 2021-11

BE IT RESOLVED BY THE CHAIRPERSON AND COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF MORRILL, NEBRASKA, as follows:

WHEREAS, Morrill County is a legal and political subdivision of the State of Nebraska for which the Board of County Commissioners (“Board”) is authorized to act; and

WHEREAS, Morrill County contains approximately 915,200 acres of land situated in Western Nebraska;

WHEREAS, the federal government owns less than 1% of this land within the County, and the US Fish and Wildlife Service are responsible for managing over 160 acres of these federal lands;

WHEREAS, approximately 1180 acres (approximately 2 percent) of privately owned land in Morrill County is currently protected with perpetual conservation easements;

WHEREAS, designating lands as wilderness does not assure its preservation. Left in an undisturbed or natural state, these lands are highly susceptible to wildland wildfires, insect infestation and disease, all of which degrades the natural and human environment;

WHEREAS, the well-being, health, safety, welfare, economic condition, and culture of the County, its businesses, and its citizens depend upon the private ownership of land and the use of its resources;

WHEREAS, many of Morrill County businesses and its citizens are involved in or otherwise depend on industries that utilize and/or depend upon the private ownership of land its resources, including, but not limited to, livestock grazing, agricultural and horticultural activities, oil and gas exploration and production, mining and mineral development, recreational industries, hunting and other outdoor recreation;

WHEREAS, these industries are important components of the Nebraska economy, and are major contributors to the economic and social wellbeing of Morrill County and its citizens;

WHEREAS, on January 27, 2021, President Joseph R. Biden, Jr., issued Executive Order 14008 entitled Tackling the Climate Crisis at Home and Abroad (86 Fed. Reg. 7,619);

WHEREAS, in Section 216 of Executive Order 14008, President Biden directed the Secretary of the Interior, in consultation with the Secretary of Agriculture and other senior officials, to develop a program to conserve **at least 30 percent of the lands and waters in the United States by 2030**, which is called the “30 x 30” program;

WHEREAS, under the 30 x 30 program, approximately 680 million acres of our Nation’s lands would be set aside and permanently preserved in its natural state, preventing the productive use of these lands and their resources;

WHEREAS, there is no constitutional or statutory authority for the President, the Department of the Interior, the Department of Agriculture, or any other federal agency to set aside and permanently preserve 30 percent of all land and water in the United State, and no such authority is referenced in Executive Order 14008;

WHEREAS, placing private lands into permanent conservation status will cause dramatic and irreversible harm to the economies of many states, including Nebraska, and in particular rural counties such as Morrill County whose citizens depend on the private ownership of land for their livelihoods;

WHEREAS, the 30 x 30 program, if implemented, will conflict with the plans, policies and programs of Morrill County as expressed in the County's Comprehensive Plan, adopted in 2000;

WHEREAS, conversion of land from private ownership to federal ownership typically results in removal of said land from the tax rolls of the applicable taxing entity, whereby diminishing the pool of total tax revenue available, and causing a potential for the burden of increased taxation for the remaining owners of privately held land;

WHEREAS, Executive Order 14008 at 216(a) directs the Secretary of the Interior, in consultation with other relevant federal agencies to "submit a report to the Task Force within 90 days of the date of this order recommending steps that the United State should take, working with State, local, Tribal, and territorial governments, agricultural and forest landowners, fishermen, and other key stakeholders, to achieve the goal of conserving at least 30 percent of our lands and waters by 2030."

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Morrill County, Nebraska, as follows:

1. The Board opposes the 30 x 30 program, including its objective of permanently preserving 30 percent of the Nation's land in their natural state by 2030, or any similar program that will set aside and prevent the productive use of millions of acres of our lands.
2. The Board further opposes the designation of lands in Morrill County as wilderness, wilderness study areas, wildlife preserves, and open space, thereby restricting public access to such lands and preventing the development and productive use of the resources on or within such lands.
3. The Board supports the continues private ownership of land in the County, recognizing the Nation's need for domestic sources of minerals, energy, timber, food, and fiber.
4. The Board recognizes and supports the State of Nebraska's water rights systems, including the doctrine of prior appropriation and other state laws and programs governing water rights and water use, and opposes any federal designation of waters and watercourses within the County that would impair or restrict water diversions and used authorized under Nebraska law.
5. The Board supports reasonable national, regional, and global greenhouse gas emissions policies and goals that are comprehensive, practical, cost-effective, and do not unnecessarily single out specific industries or activities, but opposes the use of global climate change as a justification to set aside large tracts of land as preserves or open space to fulfill the 30 x 30 program's objectives.
6. The Board also maintains that any lands or other rights that are acquired to fulfill the 30 x 30 program's objectives should be acquired only from willing landowners and for the payment of full and fair market value for all rights and interests acquired, and not through regulatory compulsion, and only after analyzing and considering the impacts of such land acquisitions on the well-being, health, safety, welfare, economy, and culture of Morrill County, its businesses and its citizens.
7. The Board shall send a copy of this Resolution to the Department of Interior and all other relevant Federal and State agencies; and

Dated this 23<sup>rd</sup> day of March, 2021.

COUNTY OF MORRILL, NEBRASKA

/s/Jeff Metz  
Chairperson,  
Morrill County Board of Commissioners

/s/Susanna Batterman  
Member,  
Morrill County Board of Commissioners

(S E A L)

/s/Joshua Schmidt  
Member,  
Morrill County Board of Commissioners

ATTEST:

/s/Kathleen L. Brandt  
Morrill County Clerk

Yeas: Schmidt, Batterman and Metz. Nays: None. Motion carried.

The Board reported on meetings they had attended. Schmidt reported on the Safety Committee meeting and the Veteran's group will be having a pancake feed on April 6, 2021 at the Community Center, with freewill donations. Batterman reported on the Panhandle Public Health and Behavioral Health meetings. Metz reported on the Fair Board meeting.

The Board discussed the Cares Act Funds which the county might receive. Rodak said it will be up the State to make rules for how it can be spent and how much we receive. Charlie Browne, Mayor, talked about the Fair and the benefits of having it for the community.

There being no further discussion, Chairperson Metz adjourned the meeting at 10:15 A.M. The next meeting will be Tuesday, April 13, 2021.

/s/Jeff Metz, Chairperson

ATTEST:

/s/Kathleen L. Brandt, County Clerk

**Board of Equalization**  
Tuesday, March 23, 2021

The Morrill County Board of Equalization met in an open and public meeting at 7:39 A.M., Tuesday, March 23, 2021 in the Commissioners' room at the Courthouse. Chairperson Metz announced that the Open Meetings Law was posted on the wall of the Commissioners' room. Notice of such meeting being published in the Bridgeport News-Blade and Bayard Transcript on March 17, 2021. Copies of the Agenda, kept continuously current were available at the Morrill County Clerk's office and were e-mailed to each of the Commissioners on March 18, 2021. On roll call Commissioners Jeff Metz, Chairperson, Susanna Batterman and Josh Schmidt were present. Absent: None. Rose Nelson, County Assessor, was present. Kathleen L. Brandt, County Clerk, recorded the proceedings of the meeting.

Motion was made by Schmidt, seconded by Batterman, to enter into Board of Equalization, according to Ne. Statute §77-1233.04(6) at 7:39 A.M. Yeas: Schmidt, Batterman and Metz. Nays: None. Motion carried.

Rose Nelson, County Assessor, said that the dryland is low in Market Area 3 and 4. She said she will be doing a revaluation of Rural Residential this year.

Chairperson Metz opened the Public Hearing for Permissive Exemptions at 7:45 A.M. Present were Mike Goeman and Bob Landrigan, from the Farm & Ranch Board. Discussion was held about the portion that is taxed. Metz explained that because of the 2 years protesting to TERC, the value has to stay until TERC gives a ruling. The Farm & Ranch Board said they had to raise the rent for the Fair because of the increase. They said they spend the money from the farm ground on improvements to the buildings. Schmidt asked if the farm ground could be farmed by 4-H or FFA and then it would be considered education. Nelson said that the rest of the property is Tax Exempt because of the Fair, but because of the land for farming being privately owned, it does not qualify for exemption. Chairperson Metz closed the Public Hearing at 8:14 A.M. Motion was made by Schmidt, seconded by Batterman, to approve a portion of the Exemption for the Morrill County Farm & Ranch and leave the 66 acres as Non-Exempt. Yeas: Schmidt, Batterman and Metz. Nays: None. Motion carried.

Motion was made by Schmidt, seconded by Batterman, to return to regular session at 8:19 A.M. Yeas: Schmidt, Batterman and Metz. Nays: None. Motion carried.

/s/Jeff Metz \_\_\_\_\_, Chairperson

ATTEST:

/s/Kathleen L. Brandt \_\_\_\_\_, County Clerk



